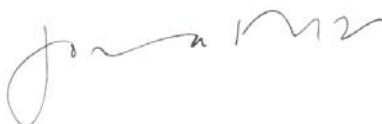


6th May 2008

Dear Sir/Madam

You are hereby respectfully summoned to attend the Annual Meeting of the Council of the Borough of Brentwood to be held in the Council Chamber, Town Hall, Brentwood, on **WEDNESDAY, 14TH MAY 2008 at 7 pm** to consider the following business.

Yours faithfully



Chief Executive

AGENDA

1. Apologies for Absence.
2. Mayor's Announcements and Presentations (if any).
- *3. Election of Mayor: To elect a Mayor of the Borough for the year 2008/2009 to hold office until his or her successor becomes entitled to act as Mayor.
- *4. Appointment of Deputy Mayor: To appoint a Deputy Mayor of the Borough for the year 2008/2009 to hold office until immediately after the election of the Mayor of the Borough at the Annual Meeting of the Council in 2009.

5. Brentwood Borough Council Elections 1.5.2008: To note the results of the elections (see Appendix 1).
6. Political Groups on the Council: To note receipt of Notices served on him by Members under the provisions of the Local Government (Committees and Political Groups) Regulations 1990.
7. Leader of the Council: To designate a "Leader of the Council". It is the Council's usual practice that the Leader of the majority political group on the Council shall be designated "Leader of the Council".

The Council is also invited to designate a "Deputy Leader of the Council".

8. Appointment of Policy Board, Executive Panels and Committees.
 - (a) To review and determine the allocation of seats in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990 and to determine how many voting Members each shall consist of. A report has been circulated separately.
 - (b) To consider changes to the operation of the Standards Committee.
 - (c) To appoint the Policy Board, Executive Panels and Committees for the ensuing year of the Council.
 - (d) To receive the wishes of each Group about who is to be appointed to the seats allocated to them (Appendix 2).
- *9. Standing Groups and Boards: To appoint for the ensuing year.
- *10. Appointment of Chairman and Vice-Chairman of the Policy Board, Executive Panels, Committees and Standing Groups Boards etc. from those appointed to them.
11. Members' Allowances 2008/2009: Members are invited to consider the report which has been circulated separately.
12. Standards in Local Government and the Council's Standards Committee: Members are invited to consider the attached report.
13. Memorials or Petitions: Presentation of Memorials or Petitions (if any) by a Member in accordance with Standing Order No. 18.
14. Questions: To answer questions (if any) pursuant to Standing Order No. 9, of which previous Notice has been given to the Chief Executive.
15. Day and Hour of Meetings: To fix the day and hour of meetings of the Council, the Policy Board, Executive Panels and Committees for the ensuing year. (A draft Calendar of Meetings is contained in Appendix 3 for consideration).

- *16. Appointment of Representatives on Outside Organisations: The Council is asked to make the appointments to the various Outside Organisations to be circulated separately.
17. Notices of Motion: To consider Notices of Motion of which notice has been given to the Chief Executive pursuant to Standing Order No. 6.
18. Any items which the Mayor of the Borough decides are urgent. (In respect of any items raised containing 'exempt information' or 'confidential information', the Council may decide to exclude the public by passing the appropriate Resolution).

To the Mayor and Members of Brentwood Borough Council

(*Details of nominations, suggested allocation of seats and Group wishes, are contained in Appendix 2)

Town Hall
Brentwood, Essex

6th May 2008

BRENTWOOD BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

14TH MAY 2008

LIST OF APPENDICES AND REPORTS

<u>Item No.</u>	<u>Appendix No.</u>	<u>Subject</u>
5	1	Brentwood Borough Elections
3, 4, 8, 9 & 10	2	List of Nominations
6		Political Groups on the Council (to follow)
8(a)		Review of the Allocation of Seats to the Political Groups on the Council
8(b)		Standards in Local Government and the Council's Standards Committee
11		Members' Allowances 2008/2009
15	3	Draft Calendar of Meetings
16	4	Appointment of Representations on Outside Organisations (to follow)
	5	Background Documents

BRENTWOOD BOROUGH COUNCIL

BOROUGH COUNCIL ELECTION

Date : 1st May 2008

BOROUGH WARD	Candidates	Description	Votes Cast	
Brentwood North	Gareth Paul Barrett	The Labour Party Candidate	142	
Electorate 4405	Ross Adam Carter	Liberal Democrat	911	Elected
Seats 1	Mark Peter Reed	The Conservative Party Candidate	865	
Ballot Papers 1929				
% Poll 43.79				
Brentwood South	Gabriella Clarke	Liberal Democrat	227	
Electorate 4015	Michael David Golding	The Conservative Party Candidate	832	Elected
Seats 1	Julie Morrissey	The Labour Party Candidate	627	
Ballot Papers 1693				
% Poll 42.17				
Brentwood West	Nigel John Clarke	Liberal Democrat	769	
Electorate 4417	Joan Edith Holmes	The Conservative Party Candidate	933	Elected
Seats 1	Peter John Mayo	The Labour Party Candidate	75	
Ballot Papers 1782				
% Poll 40.34				
Brizes & Doddinghurst	Jackie Anslow	Liberal Democrat	449	
Electorate 4552	Yvonne Jeanette Maguire	UK Independence Party	201	
Seats 1	Sheila Ruth Maxey	The Labour Party Candidate	67	
Ballot Papers 1777	Roger John McCheyne	The Conservative Party Candidate	1057	Elected
% Poll 39.04				
Hutton Central	Robert George Gow	The Labour Party Candidate	76	
Electorate 2811	Jean Alma McGinley	The Conservative Party Candidate	902	Elected
Seats 1	Christine Janie Seymour	Liberal Democrat	154	
Ballot Papers 1133				
% Poll 40.31				
Hutton North	Charles Reginald Bisson	The Labour Party Candidate	145	
Electorate 3064	Shirley Rose Howe	Liberal Democrat	181	
Seats 1	Louise Jane Monnickendam	The Conservative Party Candidate	805	Elected
Ballot Papers 1135				
% Poll 37.04				
Hutton South	Richard Joseph Enever	The Labour Party Candidate	76	
Electorate 3012	Frank Kenny	The Conservative Party Candidate	894	Elected
Seats 1	Deborah Louise Wood	Liberal Democrat	170	
Ballot Papers 1143				
% Poll 37.95				
Ingatestone, Fryerning & Mountnessing	Janette Pauline Gulleford	UK Independence Party	230	
Electorate 4627	Bobbie Hall	Liberal Democrat	279	
Seats 1	Anthony Robert Sleep	The Conservative Party Candidate	1308	Elected
Ballot Papers 1962	Jane Elizabeth Winter	The Labour Party Candidate	135	
% Poll 42.40				
Pilgrims Hatch	Val Adams	The Conservative Party Candidate	675	
Electorate 4495	David John Kendall	Liberal Democrat	1057	Elected
Seats 1	Michele Anne Wigram	The Labour Party Candidate	66	
Ballot Papers 1803				
% Poll 40.11				

BRENTWOOD BOROUGH COUNCIL
BOROUGH COUNCIL ELECTION

Date : 1st May 2008

BOROUGH WARD		Candidates	Description	Votes Cast	
Shenfield		Margaret Rose Brehaut	The Conservative Party Candidate	1303	Elected
Electorate	4129	Trevor Keith Ellis	Liberal Democrat	269	
Seats	1	Kees Maxey	The Labour Party Candidate	104	
Ballot Papers	1681				
% Poll	40.71				
Tipps Cross		Michael James Aspinell	Liberal Democrat	93	
Electorate	2946	Roger Charles Keeble	Independent	651	Elected
Seats	1	Owen Frederick Clark Rosindell	The Conservative Party Candidate	631	
Ballot Papers	1408	Paul Skingley	The Labour Party Candidate	30	
% Poll	47.79				
Warley		Nina Rose Cutbush	Liberal Democrat	759	
Electorate	4316	Richard Dobson Margrave	The Labour Party Candidate	43	
Seats	1	David Wesley Tee	The Conservative Party Candidate	1099	Elected
Ballot Papers	1909				
% Poll	44.23				

BRENTWOOD BOROUGH COUNCIL
REPORT OF THE CHIEF EXECUTIVE
TO THE ANNUAL COUNCIL MEETING
14TH MAY 2008

ITEM 8(a)

REVIEW OF THE ALLOCATION OF SEATS TO THE POLITICAL GROUPS ON THE COUNCIL

PURPOSE OF REPORT	To review and adopt the allocation of seats to the political groups on the Council and appoint the Policy Board, Executive Panels and Committees for the ensuing year.
CORPORATE OBJECTIVES	Open, Responsive and Accountable Government Core value - <i>“The Council is committed to enhancing local democracy, by ensuring that decision-making structures are effective, clear and transparent.....”</i>
IMPLICATIONS	
• Legal	The relevant legal provisions are contained in the Local Government and Housing Act 1989.
• Finance	There are no additional financial implications.
• Staff	There are none.
• Risk Management	The Council is obliged to review the allocation of seats to the political groups at the meeting of Annual Council or as soon as possible hereafter.
• Asset Management	There are no additional asset management implications.
• Health & Safety	There are no additional health and safety implications.
• Diversity	There are no diversity implications.
ACTION REQUIRED	To review and approve the allocation of seats to the political groups on the Council and appoint the membership of the Policy Board, Executive Panels and Committees for the ensuing year.

This report reviews the allocation of seats to the Political Groups on the Council.

Section 15 of the Local Government and Housing Act 1989, places a duty on the Council to review the allocation of seats to the political groups at the meeting of Annual Council or as soon as possible thereafter.

Attached to this report is a political balance proposal for the allocation of seats to the political groups. Members will note that it is proposed to leave

the Staff Appointments Committee and the Staff Appeals Committee to be appointed as and when required. With regard to the Standards Committee, this falls outside the Political Balance requirements. Members will recall that the Licensing/Appeals Committee was adjusted to meet the requirements of the Licensing Act 2003 to provide a pool of Members any three of which sitting together can form a Sub-Committee.

Set out below is the allocation of seats to the political groups on the Council which has been revised to take into account the results of the Borough Council Elections held on 1.5.2008. The minimum number of Members to constitute a political group is two.

Calculation of the Overall Entitlement

For the purpose of this report reference to Committees and Sub-Committees applies to the Policy Board and Executive Panels under the Council's political management arrangements.

The new calculation of the total entitlement of seats to each political group is based on the total number of seats on all the Committees and Sub-Committees (if any) being divided by the total membership of the Council and then multiplying that figure by the number of group members. The calculation is as follows:

$96 \div 37 \times 28$	$=$	72	Conservative
$96 \div 37 \times 6$	$=$	16	Liberal Democrat
$96 \div 37 \times 2$	$=$	5	Labour
$96 \div 37 \times 1$	$=$	3	Independent

Calculation of Seats on Committees

Committees with a membership of 15:

	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>	<u>Independent</u>
Planning Development Control	12 (11.25)	2 (2.49)	1 (0.78)	0
Licensing/Appeals	12(11.25)	2 (2.49)	0	1(0.46)

Committees with a membership of 11:

	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>	<u>Independent</u>
Policy Board/Audit, Overview and Scrutiny Panel/Health and Housing Panel/ Highways Panel	8 (8.25)	2 (1.83)	1 (0.57)	0

Leisure, Sport and Culture Panel/ Environmental Panel	8(8.25)	2(1.83)	0	1(0.34)
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The total entitlement figure is affected by the 'majority requirement', the effect of which is to ensure that the majority of seats on Committees etc. are allocated to the majority group on the Council. Therefore in allocating seats between the political groups there can be some variance with the total entitlement figure.

The Council is required to consider the 'majority requirement' etc. as far as practicable. This allows for the variations in the number of members of groups on certain committees.

Summary

Members are invited to review and adopt the allocation of seats to political groups on the Council and appoint the Policy Board, Executive Panels and Committees for the ensuing year, the revised Terms of Reference for including the Environment Panel and the Highways Panel.

DECIDED:

REVISED POLITICAL BALANCE PROPOSAL 2008/2009

Committees	Membership	Conservative	Liberal Democrat	Labour	Independent
Policy Board	11	8	2	1	
Audit, Overview and Scrutiny	11	8	2	1	
Leisure, Sport and Culture Panel	11	8	2		1
Health and Housing Panel	11	8	2	1	
Environmental Panel	11	8	2		1
Highways Panel	11	8	2	1	
Planning Development Control	15	12	2	1	
Licensing/Appeals*	15	12	2		1
	96	72	16	5	3

Total Entitlement:	$96 \div 37 \times 28 = 72$ (72.65)	Conservative
	$96 \div 37 \times 6 = 16$ (15.57)	Liberal Democrat
	$96 \div 37 \times 2 = 5$ (5.18)	Labour
	$96 \div 37 \times 1 = 3$ (2.59)	Independent

- Note:**
1. Standards Committee is outside Political Balance Requirements
 2. Staff Appeals and Staff Appointments Committee are to be appointed as and when required.
 - *3. In order to meet the requirements of the liquor licensing legislation which came into effect in 2006, the Licensing Appeals Committee provides a pool of Members.

6. THE POLICY BOARD EXECUTIVE PANELS AND COMMITTEES OF THE COUNCIL

STATEMENT AND DESCRIPTION

Currently under Section 101 of the Local Government Act 1972, the Council appoints three 'Policy Committees' and two 'Regulatory Committees' for the discharge of the functions of the Council.

The five 'Policy Committees' are the Policy Board and four 'Executive Panels' namely the Environment Panel (Waste), Health & Housing Panel, Highways Panel and Leisure, Sport & Culture Panel.

Councillors are appointed to the Policy Board, Executive Panels and Committees at the Annual Meeting.

The membership of the Policy Board and Executive Panels is limited to 11 Members or such other number as may be determined at the Annual Meeting of the Council.

There are two regulatory Committees dealing with Planning Development Control and Licensing/Appeals. The membership of the Planning Development Control Committee is fifteen Members. The membership of the Licensing/Appeals Committee membership is fifteen Members. Any three Members sitting together can form a Sub-Committee to determine matters falling within the responsibility of the Licensing/Appeals Committee.

The numbers of Members of these Committees may be varied at the Annual Meeting of the Council.

The Policy Board, Executive Panels and Committees are politically balanced, i.e. the membership is in proportion to the seats on the Council held by each political group.

The Full Council and the Policy Board provide the overall strategic focus for the Authority.

This ensures that only the Policy Board (and where necessary the Full Council) is involved in the determination of policy across all functions and services. This provides an effective separation of policy and implementation roles and enables a clearer and sustained central focus on the central policy function.

Once policy has been established by the Policy Board/Council it is for the other Panels and Committees to ensure that agreed policy is implemented and other relevant decisions are made in accordance with the policy laid down centrally.

The Policy Board and Executive Panels have full authority to act within their terms of reference and to incur expenditure within approved budgets, except for those matters which are reserved to the Full Council.

The Policy Board and Executive Panels have the ability to make 'in-year' adjustments to any Plan or Strategy which has been adopted by the Council.

Meetings of the Policy Board and Executive Panels are conducted in accordance with the procedures contained in the Council's Standing Orders for the Regulation of the Proceedings and Business of the Council or such other procedures as may be adopted by the Council. A copy of the current Standing Orders are attached as an appendix to this document, together with the Delegation to Committees.

POLICY BOARD

Only the Policy Board (and where necessary the Full Council) determine policy across all functions and services. This provides the effective separation of policy and implementation roles, and enables a clearer and sustained central focus on the central policy function.

Section A - Management and Review

1. To guide the Council in the formulation of its corporate plan of objectives and priorities and for that purpose to recommend to the Council such forward programmes and other steps as may be necessary to achieve those objectives, either in whole or in part. For that purpose to consider the broad social, environmental and economic needs of the community and matters of comprehensive significance to the area including the contents of Structure Plans and Local Plans.
2. Without prejudice to the duties and responsibilities of the Executive Panels and Committees to review the effectiveness of all of the Council's work and standards and the levels of service provided. To identify the need for new services and to keep under review the necessity for existing services.
3. To report to the Council upon new policies or changes in policies.
4. To determine issues surrounding the interpretation of corporate policies leading to their overall implementation.
5. To ensure that the organisation and management processes of the Council are designed to make the most effective contribution to the achievement of the Council's objectives. To keep them

under review in the light of changing circumstances, making recommendations as necessary for change in either the political management or departmental structure, or the distribution of functions and responsibilities.

6. To co-ordinate the capital projects of Executive Panels and Committees and from time to time to recommend to the Council the capital programme.
7. Regularly to review progress in the planning and execution of capital projects and to recommend any necessary variation of the capital programme as the result of such regular review.
8. To progress actions arising from the Crime & Disorder Reduction Strategy which are within the remit of the Board.
9. To consider issues, give guidance and co-ordinate the Council's approach to the Comprehensive performance Assessment and Best Value regimes.

Section B - Finance and Income

1. To be responsible for the overall financial control of the Council's affairs within approved estimates.
2. To recommend to the Council estimates of annual income and expenditure (and where necessary supplementary estimates) for approval.
3. Local Government Finance Act 1988, Local Government and Housing Act 1989, Local Government Finance Act 1992 and other Council Tax regulations, rating and valuation legislation and including recommendations on the Council Tax base, Council Tax levels, the extent to which if any S.35 of the 1992 Act shall apply, and amounts to be calculated in accordance with the 1992 Act, rents for Council dwellings, garages, car spaces and car ports, and borrowing limits.
4. Local Government and Housing Act 1989 - Determinations under Part IV of the Act.
5. Capital Finance issues under the Local Authorities (Capital Finance and Accounts) (England) Regulations 2003.

Section C - Council and General Administration

1. To advise on and recommend to the Council any amendments to the Council's Standing Orders, Standing Orders (contracts) and Financial Regulations.

2. To advise and recommend to the Council the promotion of or opposition to proposed legislation.
3. To advise and recommend to the Council proposals relating to status of the Borough and/or variation of boundaries of electoral divisions, wards and polling districts and all other electoral matters.
4. Byelaws, in respect of any matters not within the terms of reference of any other Panel or Committee.

Section D - General Purposes

1. Supervision of collection of all income, granting of remissions and writing off of debts as irrecoverable.
2. Insurance and negotiations of claims by or against the Council.
3. Appointment of representatives on outside organisations during the Council year.
4. All legal matters including the institution of or defence of legal proceedings not falling within the terms of reference of any Executive Panel or Committee.
5. The promotion of positive public relations and publicity.
6. Matters not within the control of any other Executive Panel or Committee unless or until such matters are referred to an Executive Panel or Committee by the Council.

Section E - Economic Development

To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.

Generally to maintain a special interest in employment promotion.

Section F - Planning Policies and Forward Planning

1. To review, consider and propose planning policies, and related advice, including the preparation of the Brentwood Borough Local Plan, the Local Development Scheme and the content of Structure Plans and neighbouring authorities Local Plans.
2. To consider and recommend the Council's response to consultation by Essex County Council, Government Departments and outside organisations/bodies on planning policy matters.

Section G - Brentwood Town Centre / Brentwood Borough Shopping Centres

1. To consider matters relating to Council schemes/projects within the general framework of the Council's policies and to submit recommendations outside such policies.
2. To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.

Section H - Proposed Major Developments

Without prejudice to subsequent consideration by the Planning Development Control Committee, to consider and make comments on proposed major developments, and where appropriate to consider and make recommendations on developments with policy implications within the Borough.

Section I - Land

1. The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
2. Disposal of land (including by lease) surplus to the requirements of any Executive Panel or Committee.
3. Appropriation of land surplus to the requirements of an Executive Panel or Committee.
4. Management of land and buildings not within the control of any Executive Panel or Committee.
5. Temporary Markets under Sec. 37 of the Local Government (Miscellaneous Provisions) Act 1982

Section J - Personnel

1. Staff establishment and general policy relating to appointment, rates of pay, conditions of employment, training, welfare and health and safety of all Council staff and employees. (Appeals against dismissal are considered and decided by the Staff Appeals Committee.)
2. Provision and overall control of general office accommodation.
3. Car allowances and car purchase loans.
4. Negotiations with Trade Unions and Staff Forums.

Section K - Contracts, Equipment and Services

To consider the specification and supervision requirements of contracts relating to works to the Town Hall and other public buildings under the control of the Council not being within the purview of an Executive Panel or Committee.

To consider the Council's requirements for equipment and services.

Section L - Health and Safety

To promote, maintain and monitor health safety and welfare of all Council staff.

Section M - Audit and Performance Review

To review the effectiveness of the Council's operations and service provision.

Section N – Community Safety

To encourage and support the development of community safety and crime and disorder reduction initiatives including the maintenance and development of the Council's CCTV system.

HEALTH AND HOUSING PANEL

Section A - Housing

1. Those statutory duties and functions of the Council as set out in statute law and any other such matters that are considered necessary and appropriate from time to time to deal with the Council's strategic responsibilities towards the public, voluntary and private housing sectors, including the following:-
 - (a) Statutory action including duties derived from Housing Acts, Rent Acts, and Landlord and Tenant Acts.
 - (b) Assessment of future requirements to meet housing needs in the Borough and submission of proposals to secure adequate reservation of sites to meet demand.
 - (c) Advice and assistance to homeless persons.
 - (d) Pursuing the Council's Housing Strategy and house building programme, including:-
 - (i) Promoting partnership schemes with housing associations, building societies and groups, together with building firms.
 - (ii) Optimising co-operation with other housing agencies and consortia.
 - (iii) Design and types of new Council dwellings and other related buildings and the layout of housing sites.

- (iv) Proposals for the provision of housing by housing associations and housing societies.
- (v) The monitoring of other local authority estates in the Borough.
- (vi) The monitoring of private rented accommodation in the Borough including:-
 - leasehold and sheltered dwellings
 - houses in multiple occupation
 - hostels
 - caravan sites
- (e) Promoting the regulation, control and environmental improvement of all Council housing land.
- (f) Promoting the regulation and control of all Council garages, hardstandings (including hardstandings in front gardens), shops and commercial premises, (including property required for development and used temporarily for housing purposes).
- (g) Monitoring and overseeing rent collection and arrears recovery including the power, in cases which it deems appropriate, to authorise the writing off as irrecoverable arrears of former tenants where recovery is not possible or inappropriate.
- (h) Promotion of housing advice and consultation with tenants (including Brentwood Housing Handbook).
- (i) Repair, maintenance and improvement of Council owned dwellings, garages, hardstandings, shops and commercial premises.
- (j) Adaptations/aid for disabled Council tenants.
- (k) Monitoring housing waiting lists and the allocation of tenancies.
- (l) Monitoring the Council's register of lodgings.
- (m) Administering the Council's under-occupation allowances scheme.
- (n) Monitoring support lending arrangements with building societies.
- (o) Promoting the Council's shared ownership scheme.
- (p) Pursuing the sale of Council houses.
- (q) Monitoring the administration of housing benefits.
- (r) Facilitating the renovation and adaptation of houses by grant (including grants for the provision of separate water supplies) and, in appropriate cases, by improvement loans, and the provision of advice and guidance through a "staying put" agency.
- (s) Abatement of overcrowding.
- (t) Enforcing the provision of basic amenities (inside water closet etc.) in houses.
- (u) Enforcing the provision of amenities, adequate space and means of escape in case of fire, in houses in multiple occupation.
- (v) Enforcement of the repair of unfit or defective houses.
- (w) Facilitating the demolition or closure of unfit houses.
- (x) Promoting and pursuing Brentwood emergency communication scheme.

Section B - Food

1. The Control of conditions for the production, storage, distribution, preparation and sale of food and the issue of such licences and registrations as are appropriate.
2. Action relating to unsound food and investigation of complaints relating to unsatisfactory conditions of food including food sampling and testing.
3. The promotion and operation of food hygiene training courses.

Section C - Communicable Disease

1. The investigation and control of cases of infectious and communicable disease and food poisoning.
2. The disinfection and disinfestation of premises, clothing and furniture.

Section D - Pests

1. Advice concerning the treatment of pests on domestic and commercial premises.
2. The treatment of domestic premises against rats, mice and insects of public health significance.
3. The disinfection and disinfestations of verminous premises, clothing and persons.

Section E - Health and Safety

1. The enforcement of provisions relating to and safe and healthy conditions in places of work, together with the investigation of accidents and the prevention of hazards to the public in or from such places that are the enforcement responsibility of the local authority.
2. The supervision and enforcement on matters relating to asbestos and other hazardous substances where enforcement is the Council's responsibility.
3. The promotion and operation of training courses in health and safety matters.

Section F - Home and General and Consumer Protection

The promotion of home and garden safety and such other matters relating to the safety, health and welfare of the general public not

covered by other legislation and to exercise an overview on consumer protection issues and to co-operate with other bodies to further strengthen awareness and good practices within the Borough.

Section G - Community Liaison, Promotional Events and Activities

To promote seminars, events, activities, schemes, campaigns and exhibitions in order to advise, assist, educate or inform the general public or specific groups on matters relating to environmental care and protection, public health and general health safety and welfare and to otherwise liaise and support activity with voluntary services and other outside agencies for the benefit of the community.

Section H - Gypsies

1. To consider proposals in relation to the provision of a site(s) for gypsy travellers and to make recommendations thereon.
2. To authorise appropriate action to deal with unauthorised encampments.

Section I - Health Authority Liaison and Co-ordination

To pursue continued involvement with the Health Authority, the consultative procedures on all issues relating to the Borough and its residents and to consider representations which should, from time to time, be submitted to protect the interests of the Health Service for the area generally.

Section J - Care in the Community

To consider how the Council can develop an enabling role which recognises the need for caring in the community including liaison with and support and co-ordination of voluntary organisations and other agencies with the objective of matching resources to needs.

Section K - Crime & Disorder Strategy

To progress actions arising from the Crime & Disorder Strategy which are within the remit of the Panel.

HIGHWAYS PANEL

Section A - Highways

1. To determine local highways projects and initiatives to be progressed under the ECC Highways Localism Initiative and to oversee and identify priorities for planned maintenance for local roads and footpaths in Brentwood.

2. Pursuant to (1) above, to make decisions on local highway related work, including traffic orders, on street parking controls, grass cutting, crossings, traffic lights, signs and lines, Speed Indication Devices (SIDs) and local improvement projects such as junction improvements, road widening and other minor capital works.
3. To co-ordinate public consultation and engagement mechanisms to inform priorities and decision making under the Highways Localism Initiative.
4. To monitor performance of contractors commissioned by ECC to implement local highways projects under the Highways Localism Initiative.
5. To co-ordinate the activities of the local Highway Rangers and dovetail their operations with the Borough Council's Streetcare teams.
6. To contribute towards the development of ECC's annual Highways Capital Budget.

Section B - Borough Council Technical Services Functions

1. Provision of off-street car parks.
2. Maintenance of Highways under Section 42 Highways Act 1980.
3. Highways Act 1980, Section 134(5a) (Prosecution of offences relating to ploughing up).
4. Footway lighting.
5. Public Utilities Street Works Act 1950, Section 30 and Highways Act 1980, Section 147a, 179 and 312 (Works in streets, construction under streets and control of roadside sales).
6. Environmental Improvement Schemes affecting highway land.
7. Environmental Protection Act 1990 - Part 2 (Waste Disposal Regulation) and Part 4 (Litter etc. - including control of Shopping Trolleys).
8. Parking Enforcement (On and Off-Street)

Section C - Agency Functions

1. Highways.
2. Road Maintenance.
3. Street Lighting.
4. Private Street Works.
5. Highways Act 1980, Section 230 (urgent repairs to private streets).
6. Estate road development.
7. Traffic management.
8. On-street parking including Parking Enforcement.

Section D - Passenger Transport Services

1. To review from time to time public passenger transport services and make representations thereon.
2. To consider proposed alterations in services or charges by public passenger transport undertakings and decide on behalf of the Council whether representations shall be made thereon.

Section E - Road Safety

To provide road user training and publicity in accordance with the agency agreement with ECC.

LEISURE, SPORT AND CULTURE PANEL

Section A - Leisure and Cultural Services

1. To consider and co-ordinate the Council's leisure and cultural initiatives including:-
 - (a) The Brentwood Centre and Shenfield Sports Centre.
 - (b) Management of indoor sports facilities.
 - (c) Golf course supervision and regulation.
 - (d) Capital grants to sports organisations.
 - (e) Leases of sports grounds or playing fields to local sports clubs.
 - (f) Provision and management of allotments.
2. Promotion and encouragement of Arts development and other Heritage initiatives within the Borough including liaison with but not exclusively.
 - (a) Brentwood Theatre Trust
 - (b) Arts Council
 - (c) Town Twinning Associations
 - (d) Essex Youth Orchestra
 - (e) Local schools and colleges
 - (f) Brentwood Cathedral
3. To co-ordinate the Council's activities in preparing for the 2012 Olympic Games.
4. To promote the development of Brentwood's heritage and culture, including specific schemes such as the heritage plaque scheme.
5. To encourage and support the development of museums in the Borough.
6. To promote and encourage support community arts events.
7. Capital grants to arts organisations.
8. To receive and consider reports relating to youth matters.
9. Play leadership and play areas.
10. Management of Old House, Hutton Parish Hall, Hutton Poplars Pavilion, Poplars Hall, Keys Hall, Bishops Hall Park Community Buildings, Tipps Cross Remembrance Hall.
11. Tourism and Town Twinning arrangements.
12. Making of grants to local voluntary organisations and other bodies for the benefit of the local community.

13. To progress capital projects e.g. Merrymeade House and Duchess of Kent building refurbishments within the overall strategic policy of the Council as interpreted by the Policy Board upon the financial limits set by the Council through the capital programme.

Section B - Countryside & Environment

1. To assist in the provision of facilities designed to enhance the public enjoyment of amenities within the countryside and in particular within country parks.
2. To develop public awareness of conservation and allied issues and to promote an educational role through exhibitions and liaison with schools, colleges, etc.
3. To operate and monitor the Brentwood Countryside Management service and generally to encourage improvements in countryside management.
4. Wildlife and Countryside Act 1981, Part I.
5. Provision and management of public open spaces, Country Parks and playing fields including management Committees.
6. To assist in the provision of facilities to enhance the public enjoyment of amenities within public open spaces, Country parks and playing fields.

Section C - Crime & Disorder Strategy

To progress actions arising from the Crime & Disorder Strategy which are within the remit of the Panel.

ENVIRONMENTAL PANEL

Section A - Environmental Responsibilities

To approve, authorise and implement those works or actions, promotional campaigns and the like from time to time agreed for the general improvement of the physical environment such as the following matters:-

1. To promote and pursue schemes of tree planting, and reforestation.
2. To enhance the environment through a programme of planting and other landscaping schemes.

3. To promote schemes for the improvement of derelict areas of land.
4. To promote a system of grant aiding the repair and maintenance of listed buildings.
5. To promote the enhancement and improvement of designated conservation areas.

Section B - Water

Take all such steps as are considered appropriate for monitoring the wholesomeness and sufficiency of water as supplied or available to the consumer, including the purity of water used in the preparation of food, private well water supplies and in swimming pools used by the public.

Section C - Pollution

1. The creation and supervision of smoke control areas. The control of chimney heights, of emission of smoke from chimneys and of smoke from bonfires (domestic, commercial, agricultural or industrial).
2. Monitoring the emission of sulphur dioxide and other gases in the air and such other chemical emission or deposit as may pose a risk to health or the environment, including radioactive materials.
4. Monitoring and control of actual or suspected contamination of soil.
5. Environmental Protection Act 1990 -

Part 1 (Integrated Pollution Control)
Part 3 (Statutory Nuisances and Clean Air)
Part 5 (Radio-Active Material)

Section 143 - Public Register of possible contaminated land
Sections 149 to 151 (incl.) (Control of Dogs)
Section 152 (Burning of Straw and Stubble etc.)

Section D - Noise

1. Domestic, commercial, industrial, construction and other noise complaints, and the prevention and abatement of any nuisance arising therefrom.
2. The consideration of the creation of noise abatement zones.

Section E - Cemeteries and Burial Grounds

Disposal of the dead including provision and maintenance of cemeteries and supervision of exhumations

Section F - Nuisances

1. To have regard to dust, fume and smell emissions from industrial, agricultural, commercial and domestic premises and take appropriate action to abate.
2. Private drainage, cesspools, sewage treatment plants, polluted ponds, pools and watercourses and determine what action to take.
3. The keeping of animals, birds and other creatures.
4. The operation of the dog warden scheme and such other matters relating to the seizure, detention and destruction of stray dogs.

Section G - Community Liaison, Promotional Events and Activities

To promote seminars, events, activities, schemes, campaigns and exhibitions in order to advise, assist, educate or inform the general public or specific groups on matters relating to environmental care and protection and to otherwise liaise and support activity with voluntary services and other outside agencies for the benefit of the community.

Section H - Borough Council Technical Services Functions

1. Collection of refuse.
2. Control of Council's depots, vehicles and plant.
3. Road Traffic Act 1988, section 45 - testing stations.
4. Road Traffic Regulation Act 1984, sections 99 to 103 - removal of vehicles from highways.
5. Refuse Disposal (Amenity) Act 1978.
6. National Parks and Access to the Countryside Act 1949 section 57(3) (Prosecution of offences of displaying on footpath notices deterring public use).
7. Cesspool emptying.
8. Public conveniences.
9. Residual sewerage services.

10. Land drainage.
11. Sewerage.

Section I - Crime & Disorder Strategy

To progress actions arising from the Crime & Disorder Strategy which may be referred to the Panel for consideration.

PLANNING DEVELOPMENT CONTROL COMMITTEE

The Planning Development Control Committee discharges the following functions:-

Planning Applications and Development Control

- (a) Town and Country Planning Act 1990 and any related legislation including:-
 - (i) determination of planning applications
 - (ii) enforcement of planning control
 - (i) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
 - (i) determination of applications for Listed Buildings and Conservation Area consent.
 - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

LICENSING/APPEALS COMMITTEE

The Licensing/Appeals Committee discharges the following functions:-

Section A - Licensing and Trading

1. The enforcement of trading requirements relating to the sale of goods and opening hours of shops and other premises and the issue of licences, consents and/or the registration, as appropriate, of the following:-
 - (i) Street trading.
 - (ii) Cinemas and places of public and private entertainment.
 - (iii) Sex establishments.
 - (iv) Pet shops, riding establishments, boarding kennels, catteries, zoos, dangerous wild animals.
 - (v) Hawkers and street traders.
 - (vi) Ear piercers, tattooists, hairdressers and places of special treatment.
 - (vii) Hackney carriages and private hire vehicles, driver and vehicle test inspections.
 - (viii) Game dealers, upholsterers, pawnbrokers and theatrical employers.
 - (ix) Lotteries, street and house to house collections, betting and gaming (including supervision of)
 - (x) Camping and caravan sites and the supervision of and enforcement of conditions thereat.
2. To progress actions arising from the Crime & Disorder Strategy which may be referred to it for consideration.
3. Any other matters relating to licensing which may be referred to it for consideration.
4. To hear and decide appeals against the making of Tree Preservation Orders.

Section B - Liquor Licensing

1. Except in relation to the Statement of Licensing Policy to discharge all functions conferred upon the Council as a licensing authority under the Licensing Act 2003, including

responsibility for licensing the sale and supply of alcohol, the provision of regulated entertainment and late night refreshment.

2. Any other licensing issues referred to the Council by legislation.

BRENTWOOD BOROUGH COUNCIL
REPORT OF THE CHIEF EXECUTIVE
TO THE ANNUAL COUNCIL MEETING
14TH MAY 2008

ITEM 8(b)

STANDARDS IN LOCAL GOVERNMENT AND THE COUNCIL'S STANDARDS COMMITTEE

PURPOSE OF REPORT	To consider the implications of the Local Government and Public Involvement in Health Act 2007 to Standards in Local Government and the Council's Standards Committee	
CORPORATE OBJECTIVES	Open, Responsive and Accountable Government Core Value - "The Council will ensure that its decision-making structures are effective, clear and transparent..."	
IMPLICATIONS		
•	Legal	The relevant legislation is Part 10 of the Local Government and Public Involvement in Health Act 2007.
•	Finance	There are no financial implications.
•	Staff	There are no staff implications.
•	Risk Management	Failure to implement the recommendations in the report will result in non-compliance with the revised regulations.
•	Asset Management	There are no asset management implications.
•	Health & Safety	There are no health and safety implications.
•	Diversity	There are no diversity implications.
ACTION REQUIRED	To consider the recommendations made in the report.	

1. **BACKGROUND**

Part 10 of the Local Government and Public Involvement in Health Act 2007 brought in significant changes to the procedure of dealing with complaints about the conduct of elected Members – in summary, the main changes were:

- Local Assessment of all complaints rather than referral to the Standards Board for England
- Standards Committees must be chaired by an Independent Member
- Standards Committees may enter into working relationships with other Standards Committees
- Standards Committees will report periodically to the Standards Board
- The Standards Board becomes a strategic regulator. This role is to provide supervision, support and guidance for local authorities and to ensure a degree of consistency in the application of the code

2. LOCAL ASSESSMENT

Of these changes the most significant is the local assessment of complaints. In the first instance, complaints will be made to the local Standards Committee who will have to decide on whether to:

- Refer complaints to the Monitoring Officer;
- Refer complaints to the Standards Board for England;
- Decide that no further action be taken.

In addition to asking for an investigation, Standards Committees will also be able to resolve cases by alternative means such as mediation or training. In cases where a Standards Committee considers that the sanctions available to it are insufficient, cases will be able to be referred to the Adjudication Panel for England.

The Act provides the right to request a review so that the complainant can ask for a review if the Committee decides to take no action.

3. THE STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008

At last, on 17th April, the Regulations were laid before Parliament. These Regulations, and hence the new system, will come into force on 8th May 2008.

These Regulations set out the details of how the new framework will operate. The key changes are:

- Standards Committees will be required to establish a Referrals Sub-Committee which will have the responsibility for the initial assessment of the allegations and determining whether a particular allegation should be investigated. The Committee will also be required to establish a Review Sub-Committee which will have responsibility for considering any request from the complainant to review a decision of the Referrals Sub-Committee not to investigate a particular allegation.
- Standards Sub-Committees must be composed of at least 25% Independent Members and must actually be chaired by an Independent Member; and

- The maximum sanction available to Standards Committees is increased from three months to six months suspension or partial suspension.

4. ESTABLISHING THE NEW STANDARDS COMMITTEE

In effect, the Standards Committee will need to establish three Sub-Committees i.e.

- A Referrals Sub-Committee
- A Review Sub-Committee
- A Hearing Sub-Committee

Each Sub-Committee must actually be chaired by an Independent Member and there must be three Members of the Sub-Committee present for the duration of the meeting, including at least one Member of the Borough Council and at least one Parish Member where the allegation relates to a Parish Councillor.

Whilst these Sub-Committees are established by the Standards Committee, clearly the Annual Council must provide sufficient Members for the Sub-Committee to be able to comply with the Regulations. The Regulations specifically state that the members of the Referrals Sub-Committee for a particular matter cannot overlap with that of the Review Sub-Committee when the latter considers the same matter. The Regulations are silent on the issue of any overlap with a Hearing Sub-Committee but there is concern that any such overlap will give rise to an unacceptable perception of bias.

In these circumstances, it is recommended that the new Standards Committee comprises 12 Members: 6 Borough Councillors, 3 Independent Members and 3 Parish Councillors. This will enable each Sub-Committee to have at least 3 Members with flexibility to ensure cover in the event of conflicts of interest, holidays or sickness.

One other important point to note at this stage concerning the Referrals Sub-Committee and the Review Sub-Committee is that the Act provides that allegations considered at these meetings will amount to "exempt information" such that the Sub-Committee will be allowed to exclude press and public for the duration of the meeting. It is also likely that the Member, the subject of the complaint will also be excluded as having a personal and prejudicial interest.

5. TERMS OF REFERENCE OF STANDARDS COMMITTEE

Clearly it would be beneficial for the Council to amend the Standards Committee's Terms of Reference in the light of these significant changes. To this end, it is recommended that the following terms of reference for the Standards Committee are adopted:

1. To carry out an assessment and determination of any allegation made against Borough or Parish Council Councillors in accordance with the Standards Committee (England) Regulations 2008, any such subsequent regulations made by the Secretary of State and any guidance on such

assessments and determinations received from the Standards Board for England.

2. To establish and maintain 3 Sub-Committees, each with their own terms of reference, namely:

- A Referrals Sub-Committee
- A Review Sub-Committee
- A Hearing Sub-Committee

1. To promote and maintain the high ethical standards of conduct by the Members and co-opted Members of the Council.
2. To assist Members and co-opted Members of the Council to observe the Council's Code of Conduct.
3. To advise the Council on adoption or revision of a Code of Conduct.
4. To monitor the operation of the Council's Code of Conduct.
5. To advise, train or arrange training for Members and co-opted Members on matters relating to the Council's Code of Conduct.
6. To undertake the same functions detailed under 3 to 7 above in relation to Parish Councils within the Borough.
7. To give consideration to issues of conduct in public life as they relate to Members and co-opted Members of the Council in the light of relevant regulations made by the Secretary of State and such advice and guidance as may be issued by the Standards Board of England.
8. To advise the Council on protocols covering the conduct of the Council's business and activities.
9. To consider and advise on matters relating to conduct as may be requested by the Council.

6. GUIDANCE FROM THE STANDARDS BOARD FOR ENGLAND

The Standards Board will be issuing guidance on the new local assessment framework, covering the role and make-up of Standards Committees, local assessment and how it will operate, local investigations, local determinations, and monitoring and audit arrangements. Once received, this guidance will be presented to the Standards Committee for consideration.

RECOMMENDATIONS

1. To increase the number of Members on the Standards Committee from 8 to 2 comprising 6 Borough Councillors, 3 Independent Members and 3 Parish Councillors.
2. Subject to the Council approving recommendation 1 above, to:

- a. Recruit a further Independent (non-Councillor) Member in accordance with the procedure set out in Regulation 5 of The Standards Committee (England) Regulations 2008 (by way of advertisement)
 - b. Request the Brentwood Association of Local Councils to nominate the third Parish Representative to sit on the Standards Committee.
3. To amend the Standards Committee Terms of Reference in accordance with that set out at 5 above and to make any necessary amendments to the Constitution accordingly.

DECIDED:

BRENTWOOD BOROUGH COUNCIL

ANNUAL MEETING

2008

LIST OF NOMINATIONS

Agenda

Item:

3. ELECTION OF MAYOR

Proposed: Cr Payne

4. APPOINTMENT OF DEPUTY MAYOR

Proposed: Cr Sleep

8. APPOINTMENT OF POLICY BOARD, EXECUTIVE PANELS AND COMMITTEES:

Policy Board

Membership 11 (Con 8, LD 2, Lab 1)

Conservative:

Crs Baker, Kenny, Lewis, Mrs McGinley, Miss Monnickendam, Parker, Quirk and Mrs Sheehan.

Substitute Members: Crs Mrs Holmes, Tee

Liberal Democrat:

Crs Ms Chilvers, Kendall

Substitute Members: Cr Carter

Labour:

Cr Le-Surf.

Substitute Member: Cr Minns

Leisure, Sport and Culture Panel

Membership 11 (Con 8, LD 2, Independent 1)

Conservative:

Crs Baker, Ms Golding, Mrs Holmes, Hossack, Lloyd, Mrs Pound, Mrs Sheehan and Sparling.

Substitute Members: Crs Mrs Brehaut, Mrs Henwood

Liberal Democrat:

Crs B Aspinell, Kendall

Substitute Members: Cr M Aspinell

Independent:

Cr Keeble

Health & Housing Panel

Membership 11 (Con 8, LD 2, Lab 1)

Conservative:

Crs Mrs Brehaut, Golding, Harrison, Mrs Henwood, McCheyne, Parker, Mrs Pound and Tee

Substitute Members: Crs Mrs Coe, Mrs Monnickendam

Liberal Democrat:

Crs Carter, Straw

Substitute Members: Cr Ms Chilvers

Labour:

Cr Le-Surf

Substitute Member: Cr Minns

Highways Panel

Membership 11 (Con 8, LD 2, Lab 1)

Conservative:

Crs Ms Golding, Mrs Holmes, MacLellan, McCheyne, Mrs McGinley, Miss Monnickendam, Mrs Monnickendam and Sleep

Substitute Members: Crs Lee, Mrs Sheehan

Liberal Democrat:

Crs: Ms Chilvers, Kendall

Substitute Members: Cr B Aspinell

Labour:

Cr Le-Surf

Substitute Member: Cr Minns

Environmental Panel

Membership 11 (Con 8, LD 2, Independent 1)

Conservative:

Crs Mrs Coe, Golding, Hossack, Lloyd, MacLellan, Mrs Monnickendam, Quirk and Sparling

Substitute Members: Crs Parker and Mrs Pound

Liberal Democrat:

Crs Carter, Kendall

Substitute Members: Cr Ms Chilvers

Independent:

Cr Keeble

Audit, Overview & Scrutiny Committee
Membership 11 (Con 8, LD 2, Lab 1)

Conservative:

Crs Braid, Mrs Brehaut, Mrs Hones, Lloyd, MacLellan, McCheyne, Mrs Sheehan and Sparling.

Liberal Democrat:

Crs B Aspinell, Straw

Labour:

Cr Minns

Planning Development Control Committee
Membership 15 (Con 12, LD 2, Lab 1)

Conservative:

Crs Braid, Mrs Brehaut, Mrs Coe, Golding, Ms Golding, Harrison, Mrs Hones, Kenny, Lloyd, Parker, Payne and Mrs Pound

Substitute Members: Crs Mrs Sheehan, Sleep

Liberal Democrat:

Crs Carter, Ms Chilvers

Substitute Members: Cr Straw

Labour:

Cr Minns

Substitute Member: Cr Le-Surf

Licensing/Appeals Committee
Membership 15 (Con 12, LD 2, Independent 1)

Conservative:

Crs Braid, Mrs Brehaut, Harrison, Mrs Henwood, Mrs Holmes, Mrs Hones, Lee, McCheyne, Mrs Monnickendam, Mrs Pound, Sparling and Tee

Liberal Democrat:

Crs M Aspinell, Straw

Independent:

Cr Keeble

NB: Any three Members sitting together shall constitute a Sub-Committee.

Standards Committee

Membership 12 (3 Independent Members, 3 Parish Council Representatives, Borough Councillors, 3 Con, 2 LD, 1 Lab)

Independent Members - Mr R Horton
Mr P Clements

Parish Council Representatives - Mrs P Baggott
Mrs S Murphy

Borough Council Members

Conservative - Cr Baker, Lewis and Mrs McGinley

Liberal Democrat - Cr Kendall, Straw

Labour - Cr Minns

Note: 1. Staff Appeals/Appointments Committees are appointed as required.

Agenda

Item

9. APPOINTMENTS OF STANDING GROUPS AND BOARDS

(i) STAFF LOCAL AGREEMENT CONSULTATION FORUM
Employer's Side (The Council)

Leader of the Council : Cr Lewis (Chairman)
Deputy Leader of the Council : Cr Mrs McGinley
Majority Group Nominee : As required
Leader of Main Opposition Group : Cr Kendall

(ii) PUBLIC INFORMATION PANEL
Membership 3 (LD 1, Con 2)

Conservative

Crs Lewis (Chairman), Baker
Reserve - Mrs McGinley

Liberal Democrat

Cr Ms Chilvers
Reserve: Cr Kendall

(iii) INDEPENDENT REMUNERATION PANEL

Mr N Abbott
Mr M Hawkins
Mr N Otley

Agenda
Item

10. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF THE POLICY BOARD, EXECUTIVE PANELS, COMMITTEES AND STANDING GROUPS, ETC.

The following proposals will be made:-

(i) POLICY BOARD

Chairman : Cr Lewis
Vice-Chairman : Cr Mrs McGinley

LEISURE, SPORT & CULTURE PANEL

Chairman : Cr Baker
Vice-Chairman : Cr Mrs Holmes

ENVIRONMENTAL PANEL

Chairman : Cr Quirk
Vice-Chairman : Cr Lloyd

HEALTH & HOUSING PANEL

Chairman : Cr Parker
Vice-Chairman : Cr Mrs Pound

HIGHWAYS PANEL

Chairman : Cr Miss Monnickendam
Vice-Chairman : Cr Mrs Monnickendam

AUDIT, OVERVIEW & SCRUTINY COMMITTEE

Chairman : Cr Minns
Vice-Chairman : Cr Mrs Sheehan

PLANNING DEVELOPMENT CONTROL COMMITTEE

Chairman : Cr Kenny
Vice-Chairman : Cr Ms Golding

LICENSING/APPEALS COMMITTEE

Chairman : Cr Lee
Vice-Chairman : Cr Tee

(ii) STANDING GROUPS AND BOARDS

Staff Local Agreement Consultation Forum

Chairman : Leader of the Council

Public Information Panel

Chairman : Cr Lewis

E-Champion : Leader of the Council

Enforcement
Champion : Cr Mrs Holmes

Crime & Disorder Partnership

Chairman : Cr Kenny

BRENTWOOD BOROUGH COUNCIL
REPORT OF THE CHIEF EXECUTIVE
TO THE ANNUAL COUNCIL MEETING
14TH MAY 2008

ITEM 11

MEMBERS' ALLOWANCES 2008/2009

PURPOSE OF REPORT	To consider the level of allowances to be paid to Members of the Council.
CORPORATE OBJECTIVES	Open, Responsive and Accountable Government Core value - <i>"The Council is committed to enhancing local democracy, by ensuring that decision-making structures are effective, clear and transparent....."</i>
IMPLICATIONS	
• Legal	The report has been prepared in accordance with legislation.
• Finance	Members' Allowances are included in the estimates for 2007/2008 to the level of the existing scheme.
• Staff	There are no staffing implications.
• Risk Management	The Council should establish a system which does not deter individuals from seeking to become a Councillor.
• Asset Management	There are no asset management implications.
• Health & Safety	There are no health and safety implications.
• Diversity	There are no diversity implications.
ACTION REQUIRED	To decide on the level of allowances to be paid to Members.

The Members' Allowances Scheme is reviewed annually. The current Members' Allowances Scheme came into effect on 1.10.2003 and was reviewed in the light of the new political management arrangements implemented in June 2004.

Provision has been allowed in the budget for inflation. Members' Allowances have held at 2004/2005 levels. The current allowances are as follows:-

<u>Basic Allowance</u>	£6,612
(Paid to all Members and includes travel and subsidence)	

Special Responsibility Allowance (SRA)

Chairmen	£5,835
Vice-Chairmen	£1,061
Leader of the Council	£12,455
Deputy Leader of the Council	£9,145
Leader of Main Opposition Group	£5,835
Leader of Minority Opposition Group	£2,917

The current Members' Allowances Scheme has been the subject of a review by a newly constituted Independent Remuneration Panel.

The Independent Remuneration Panel is to have a final meeting prior to the Annual Council meeting. The report and recommendations of the Remuneration Panel will be circulated separately.

The Council is asked to consider the level of allowances to be paid.

DECIDED:

DRAFT CALENDAR OF MEETINGS
2008/2009

2008

MAY

01	Thurs	Borough Elections
02	Fri	
03	Sat	
04	Sun	
05	Mon	Bank Holiday
06	Tues	Group
07	Wed	
08	Thurs	
09	Fri	
10	Sat	
11	Sun	
12	Mon	Group
13	Tues	
14	Wed	Annual Council
15	Thurs	
16	Fri	
17	Sat	
18	Sun	
19	Mon	
20	Tues	
21	Wed	Planning Development Control Committee
22	Thurs	
23	Fri	
24	Sat	
25	Sun	
26	Mon	Bank Holiday
27	Tues	
28	Wed	
29	Thurs	
30	Fri	
31	Sat	

JUNE

01	Sun	
02	Mon	Members Training
03	Tues	
04	Wed	Environmental Panel
05	Thurs	Standards Committee
06	Fri	
07	Sat	

08	Sun	
09	Mon	Health & Housing Panel
10	Tues	Leisure, Sport & Culture Panel
11	Wed	Audit, Overview & Scrutiny Committee
12	Thurs	
13	Fri	
14	Sat	
15	Sun	
16	Mon	Group
17	Tues	Planning Development Control Committee
18	Wed	Policy Board
19	Thurs	
20	Fri	
21	Sat	
22	Sun	
23	Mon	Group
24	Tues	Ordinary Council
25	Wed	Highways Panel
26	Thurs	
27	Fri	
28	Sat	
29	Sun	
30	Mon	

JULY

01	Tues	
02	Wed	
03	Thurs	
04	Fri	
05	Sat	
06	Sun	
07	Mon	
08	Tues	Licensing/Appeals Committee
09	Wed	
10	Thurs	
11	Fri	
12	Sat	
13	Sun	
14	Mon	Citizens Panel
15	Tues	Highways Panel (if required)
16	Wed	Planning Development Control Committee
17	Thurs	
18	Fri	
19	Sat	
20	Sun	
21	Mon	
22	Tues	

23	Wed
24	Thurs
25	Fri
26	Sat
27	Sun
28	Mon
29	Tues
30	Wed
31	Thurs

AUGUST

01	Fri
02	Sat
03	Sun
04	Mon
05	Tues
06	Wed
07	Thurs
08	Fri
09	Sat
10	Sun
11	Mon
12	Tues
13	Wed
14	Thurs
15	Fri
16	Sat
17	Sun
18	Mon
19	Tues
20	Wed
21	Thurs
22	Fri
23	Sat
24	Sun
25	Mon
26	Tues
27	Wed
28	Thurs
29	Fri
30	Sat
31	Sun

Bank Holiday

SEPTEMBER

01	Mon
02	Tues

Licensing/Appeals Committee

03	Wed	Planning Development Control Committee
04	Thurs	
05	Fri	
06	Sat	
07	Sun	
08	Mon	
09	Tues	Highways Panel
10	Wed	Environmental Panel
11	Thurs	
12	Fri	
13	Sat	
14	Sun	
15	Mon	
16	Tues	Health & Housing Panel
17	Wed	Leisure, Sport & Culture Panel
18	Thurs	
19	Fri	
20	Sat	
21	Sun	
22	Mon	Group
23	Tues	Planning Development Control Committee
24	Wed	Policy Board
25	Thurs	
26	Fri	
27	Sat	
28	Sun	
29	Mon	Member Training
30	Tue	Audit, Overview & Scrutiny Committee

OCTOBER

01	Wed	
02	Thurs	
03	Fri	
04	Sat	
05	Sun	
06	Mon	Group
07	Tues	Standards Committee
08	Wed	Ordinary Council (If required)
09	Thurs	
10	Fri	
11	Sat	
12	Sun	
13	Mon	
14	Tues	
15	Wed	Citizens Panel
16	Thurs	
17	Fri	

18	Sat	
19	Sun	
20	Mon	
21	Tues	
22	Wed	
23	Thurs	
24	Fri	
25	Sat	
26	Sun	
27	Mon	
28	Tues	Licensing/Appeals Committee
29	Wed	Planning Development Control Committee
30	Thurs	
31	Fri	

NOVEMBER

01	Sat	
02	Sun	
03	Mon	
04	Tues	Highways Panel
05	Wed	Environmental Panel (if required)
06	Thurs	
07	Fri	
08	Sat	
09	Sun	
10	Mon	
11	Tues	
12	Wed	Audit, Overview & Scrutiny Committee
13	Thurs	
14	Fri	
15	Sat	
16	Sun	
17	Mon	
18	Tues	Health & Housing Panel
19	Wed	Leisure, Sport & Culture Panel
20	Thurs	
21	Fri	
22	Sat	
23	Sun	
24	Mon	Group
25	Tues	
26	Wed	Policy Board
27	Thurs	
28	Fri	
29	Sat	
30	Sun	

DECEMBER

01	Mon	Licensing/Appeals Committee
02	Tues	
03	Wed	Planning Development Control Committee
04	Thurs	
05	Fri	
06	Sat	
07	Sun	
08	Mon	Group
09	Tues	
10	Wed	Ordinary Council
11	Thurs	
12	Fri	
13	Sat	
14	Sun	
15	Mon	
16	Tues	
17	Wed	
18	Thurs	
19	Fri	
20	Sat	
21	Sun	
22	Mon	
23	Tues	
24	Wed	
25	Thurs	Christmas Day
26	Fri	Boxing Day
27	Sat	
28	Sun	
29	Mon	
30	Tues	
31	Wed	

2009

JANUARY

01	Thurs	New Year's Day
02	Fri	
03	Sat	
04	Sun	
05	Mon	
06	Tues	
07	Wed	Citizens Panel
08	Thurs	
09	Fri	
10	Sat	

11	Sun	
12	Mon	
13	Tues	Licensing/Appeals Committee
14	Wed	Planning Development Control Committee
15	Thurs	
16	Fri	
17	Sat	
18	Sun	
19	Mon	
20	Tues	Audit, Overview & Scrutiny Committee
21	Wed	Standards Committee
22	Thurs	
23	Fri	
24	Sat	
25	Sun	
26	Mon	
27	Tues	Highways Panel
28	Wed	Environmental Panel
29	Thurs	
30	Fri	
31	Sat	

FEBRUARY

01	Sun	
02	Mon	
03	Tues	Health & Housing Panel
04	Wed	Leisure, Sport & Culture Panel
05	Thurs	
06	Fri	
07	Sat	
08	Sun	
09	Mon	Audit, Overview & Scrutiny Committee
10	Tues	Planning Development Control Committee
11	Wed	Special Policy/Ordinary Council
12	Thurs	
13	Fri	
14	Sat	
15	Sun	
16	Mon	
17	Tues	
18	Wed	
19	Thurs	
20	Fri	
21	Sat	
22	Sun	
23	Mon	Group

24	Tues	Highways Panel
25	Wed	Environmental Panel (If required)
26	Thurs	
27	Fri	
28	Sat	

MARCH

01	Sun	
02	Mon	Member Training
03	Tues	Health & Housing Panel
04	Wed	Leisure, Sport & Culture Panel
05	Thurs	
06	Fri	
07	Sat	
08	Sun	
09	Mon	Group
10	Tues	
11	Wed	Policy Board
12	Thurs	
13	Fri	Civic Dinner
14	Sat	
15	Sun	
16	Mon	Group
17	Tues	Planning Development Control Committee
18	Wed	Ordinary Council
19	Thurs	
20	Fri	
21	Sat	
22	Sun	
23	Mon	
24	Tues	Standards Committee
25	Wed	Licensing/Appeals Committee (if required)
26	Thurs	
27	Fri	
28	Sat	
29	Sun	
30	Mon	
31	Tues	

APRIL

01	Wed	
02	Thurs	
03	Fri	
04	Sat	
05	Sun	
06	Mon	

07	Tues	
08	Wed	
09	Thurs	
10	Fri	Good Friday
11	Sat	
12	Sun	
13	Mon	Easter Monday
14	Tues	
15	Wed	
16	Thurs	
17	Fri	
18	Sat	
19	Sun	
20	Mon	
21	Tues	
22	Wed	Planning Development Control Committee
23	Thurs	
24	Fri	
25	Sat	
26	Sun	
27	Mon	
28	Tues	
29	Wed	
30	Thurs	

MAY

01	Fri	
02	Sat	
03	Sun	
04	Mon	Bank Holiday
05	Tues	
06	Wed	
07	Thurs	
08	Fri	
09	Sat	
10	Sun	
11	Mon	
12	Tues	
13	Wed	Annual Council (Provisional)
14	Thurs	
15	Fri	
16	Sat	
17	Sun	
18	Mon	
19	Tues	Planning Development Control Committee
20	Wed	

21	Thurs	
22	Fri	
23	Sat	
24	Sun	
25	Mon	Bank Holiday
26	Tues	
27	Wed	
28	Thurs	
29	Fri	
30	Sat	
31	Sun	

JUNE

1	Mon	
2	Tue	
3	Wed	
4	Thurs	
5	Fri	
6	Sat	
7	Sun	
8	Mon	
9	Tues	
10	Wed	
11	Thurs	
12	Fri	
13	Sat	
14	Sun	
15	Mon	Group
16	Tue	
17	Wed	
18	Thurs	
19	Fri	
20	Sat	
21	Sun	
22	Mon	
23	Tues	
24	Wed	
25	Thurs	
26	Fri	
27	Sat	
28	Sun	
29	Mon	
30	Tue	Planning Development Control Committee (Provisional)

LIST OF BACKGROUND PAPERS

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

COMMITTEE: ANNUAL COUNCIL

DATE: 14TH MAY 2008

AGENDA ITEM & BACKGROUND DOCUMENTS

FILE REF./DIR

1. **APOLOGIES FOR ABSENCE**
None
2. **MAYOR'S ANNOUNCEMENTS AND PRESENTATIONS**
None
3. **ELECTION OF MAYOR**
None
4. **APPOINTMENT OF DEPUTY MAYOR**
None
5. **BRENTWOOD BOROUGH ELECTIONS 3.5.2007:** Appendix 1.
6. **POLITICAL GROUPS ON THE COUNCIL**
None
7. **LEADER OF THE COUNCIL**
None
8. **APPOINTMENT OF POLICY BOARD, EXECUTIVE PANELS AND COMMITTEES**
Appendix 2
Section 15 Local Government Act 1989
9. **STANDING GROUPS AND BOARDS**
Appendix 2
10. **APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF THE POLICY BOARD, EXECUTIVE PANELS, COMMITTEES AND STANDING GROUPS BOARDS ETC FROM THOSE APPOINTED TO THEM**
Appendix 2

AGENDA ITEM & BACKGROUND DOCUMENTS
REF./DIR

FILE

11. **MEMBERS' ALLOWANCES 2008/09**
Min 439, Ordinary Council 30.9.2003
Min 12, Annual Council 23.6.2004
12. **STANDARDS IN LOCAL GOVERNMENT AND THE COUNCIL'S STANDARDS COMMITTEE**
Part 10 Local Government and Public Involvement in Health Act 2007
13. **MEMORIALS OR PETITIONS**
None
14. **QUESTIONS**
None
15. **DAY AND HOUR OF MEETINGS**
Appendix 3
16. **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS**
Appendix 4
17. **NOTICES OF MOTION**
None
18. **URGENT BUSINESS**
None

BRENTWOOD BOROUGH COUNCIL
REPORT OF THE CHIEF EXECUTIVE
TO THE ANNUAL COUNCIL MEETING - 14 MAY 2008

ITEM 11

REPORT OF THE INDEPENDENT PANEL OF MEMBERS' ALLOWANCES

PURPOSE OF REPORT	To consider the level of allowances to be paid to Members of the Council.
CORPORATE OBJECTIVES	Open, Responsive and Accountable Government - <i>'The Council will ensure that its decision-making structures are effective, clear and transparent and that there is effective and regular consultation with residents, businesses and other interest groups'.</i>
IMPLICATIONS	
• Legal	This report has been prepared in accordance with legislation.
• Finance	Members' allowances are included in the estimates for 2008/2009 to the level of the existing scheme.
• Staff	There are no additional staffing implications.
• Risk Management	The Council should establish a system which does not deter individuals from seeking to become a Councillor.
• Asset Management	There are no additional asset management implications.
• Health & Safety	There are no additional health and safety implications.
• Diversity	There are no diversity implications.
ACTION REQUIRED	To decide on the level of allowances to be paid to Members.

The Panel comprised:

Mr Nick Abbott	General Manager, Business Repair, British Telecom
Mr Michael Hawkins	Executive Secretary, Brentwood Chamber of Commerce
Mr Noel Otley	Principal, Havering College
1.0	

INTRODUCTION

The Members' Allowances Scheme for Brentwood Borough Council is due for review with the last full review having been carried out in 2003.

2.0 THE MECHANICS OF THE REVIEW

2.1 The Members of the Panel are all new to the role, none of them having been on the Panel previously. Mr Nick Abbott was appointed Chairman of the Panel.

2.2 The Panel's Terms of Reference were to review the Council's existing scheme of allowances and to make recommendations to the Council thereon. In accordance with the regulations this incorporates the following functions whether or not covered by the existing scheme:

- To make recommendations to the authority as to the amount of basic allowance that should be payable to its elected Members.
- To make recommendations to the authority about the categories of Members who should receive a special responsibility allowance and as to the amount of such an allowance.
- To make recommendations to the authority about the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance.
- To make recommendations as to the amount of Co-optees allowance.
- To make recommendations as to whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependents and if it does make such a recommendation, the amount of this allowance and the means by which it is determined.
- To make recommendations on whether any allowance should be backdated to the beginning of the financial year.
- To make recommendations as to whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run.
- The Panel is also required by law to make a recommendation on pension arrangements for Members.

- 2.3 This is the third full review of allowances for the Council and we are aware of the considerable amount of work and research that went into the earlier reviews. The Panel notes in particular that the reviews in 2000 and 2003 were fully argued and thus takes the view that the 2003 review is a sound base from which to start the present review. It is not necessary to try and “re-invent the wheel”.
- 2.4 The Panel has also reviewed the Allowances Schemes for other neighbouring Authorities and has made comparisons of same. In addition, the Panel have interviewed the three Group Leaders and taken full account of the comments made by them.
- 2.5 The Panel circulated a questionnaire to all Members of the Council. This sought information about the work of a local Councillor. It’s main conclusions were:
- (a) Councillors on average spend approximately 50 hours a week on ward work.
 - (b) Councillors are sending and receiving far more emails than they were in 2003.
 - (c) On average, Councillors attend 6 Council Meetings each month.
- 2.6 Other than emails, the amount of time and type of work carried out by Councillors was remarkably similar to that revealed in a similar survey carried out in 2003. Some Councillors, however, mentioned the increased cost of being a Councillor e.g. petrol prices.
- 2.7 We have taken into account that the reasons for having a scheme for Members’ Allowances is to make sure that the financial constraints are not a bar to holding office and that Members are reasonably compensated for their work as Councillors.
- 2.8 We believe our role is to examine the evidence and arguments put to us, to question them, take guidance and come to a conclusion as to what would be a reasonable scheme of allowance in the circumstances. The decision as to whether and to what extent our recommendations are introduced and when is clearly a matter for each Council, although we do make recommendations on this aspect.
- 3.0 GENERAL COMMENTARY AND FINDINGS
- 3.1 The legal framework for Members’ allowances is contained in the Local Government and Housing Act 1989, the Local Government Act 2000 and the Local Authorities’ (Members’ Allowances) (England) Regulations 2003.

3.2 The Panel has sought to be objective in its approach to the review. In particular, like other reviews elsewhere in the country, we have kept in mind the key function which Councillors perform in protecting and enhancing local democracy by providing representation on issues of local concern and ensuring that the Council remains, at all times, accountable to the local community which it serves.

3.3 The key principles the Panel have mentioned are:

- (a) The need for Councillors to come from as wide a range of backgrounds as possible.
- (b) The necessity of ensuring some recompense for their time and effort spent in serving the community whilst recognising that the work of Councillors should include a substantial element of voluntary contribution;
- (c) The need for any allowance to recognise the time to be taken on development and training, as well as other activities.

4.0 EMPLOYMENT ISSUES

4.1 The discretion given to Authorities to draw up their own Members' Allowances Schemes enables Councils to develop local arrangements that reflect the diversity of local circumstances. In particular, heed was taken of Brentwood's proximity to London, high level of our-commuting particularly to London and relatively high incomes received by many local residents.

4.2 We have taken into account that the new Scheme should promote "social inclusion" by ensuring that personal financial constraints are not a bar to office.

4.3 The Panel was aware of research which drew a number of conclusions about what affects people standing or thinking of standing for Local Government:

- (a) Time commitment can automatically preclude many potential working Members from coming forward to continuing;
- (b) The most common reasons for standing down are time commitments and family responsibility;
- (c) There is research evidence on the impact of being a Member on his/her employment suggesting that the commercial sector will never find it easy to release staff;
- (d) Other evidence illustrates the detrimental effect on career progression, which can impact on a partner and the wider family.

5.0

BASIC ALLOWANCE

- 5.1 The law requires that there shall be a Basic Allowance and that it shall be paid to all Councillors at the same rate.
- 5.2 The purpose of an allowance scheme is not to encourage Members to attend meetings but rather to recompense Councillors for the whole role they perform, of which attendance at meetings of the authority is merely an element.
- 5.3 Past research suggests that Councillors are in their basic roles undertaking essentially the same job and the time they rate most highly is their representational role. This will include:
- Representing constituents' views at meetings of the Council and, as appropriate, on other organisations;
 - Ensuring that individual problems which have not been dealt with by the normal procedures are dealt with satisfactorily;
 - Holding community meetings and consultations;
 - Dealing with correspondence and obtaining information;
 - Meeting with senior officers to make them aware of local concerns;
 - Acting as the representative on another body, requiring briefings and reporting back to Council.
- 5.4 The Brentwood basic allowance originally set in 2000 was based upon a formula used elsewhere that had regard to the Local Government Association's then daily rate of £105.10 as recommended in February 2000. This figure was based on a benchmark national (males) median white-collar wage.
- 5.5 The Panel has had to consider whether the formula is one that can still be recommended.
- 5.6 We are satisfied that the formula is one that can still be used. Indeed, we are satisfied that the level of basic allowance is based on sound principles. In particular that there is seen to be a significant voluntary element of approximately 30%.
- 5.7 Having accepted the principle, we considered whether the actual amount of basic allowance (currently £6,612.00) was the appropriate amount. Having considered all the evidence we believe the figure should be increased by 2.5% in line with the figure set by the Government for Public Sector employees. This reflects increased costs since the current figure was set 12 months ago.

5.8 Therefore, we recommend a Basic Allowance of £6,777.00 for all Members of Brentwood Borough Council.

6.0 SPECIAL RESPONSIBILITY ALLOWANCES

6.1 An appropriate level of Special Responsibility Allowance should recompense Councillors who take on a greater level of responsibility and workload.

6.2 In making our recommendation in this section, we also recommend that no one Member should receive more than one Special Responsibility Allowance.

A. LEADER OF THE COUNCIL

6.3 The Leader of the Council currently receives an amount which is just less than twice the basic allowance plus the basic allowance itself.

6.4 The Panel is in no doubt as to the onerous responsibilities of a Council Leader. It does believe, however, that the amount currently paid with the increase of 2.5% in line with the figure set by the Government for Public Sector employees is an appropriate payment in the circumstances and structure existing at Brentwood Borough Council.

6.5 We recommend that the Special Responsibility Allowance payable to the Leader of the Council should be £12,766.00 in addition to the Basic Allowance of £6,777.00.

B. DEPUTY LEADER

6.6 The role of Deputy Leader is not recognised in law and is a matter for local arrangement. The Council does however formally appoint a Deputy Leader each Annual Council Meeting.

6.7 We are advised that the Deputy Leader in Brentwood plays an active corporate role.

6.8 Currently the Deputy Leader is paid just under one and half times the Basic Allowance as a Special Responsibility Allowance. The Panel is of the opinion that the current amount with the increase of 2.5% in line with the figure set by the Government for Public Sector employees is an appropriate payment in the circumstances and structure existing at Brentwood Borough Council.

- 6.9 We recommend that the Special Responsibility Allowance payable to the Deputy Leader of the Council should be £9,374.00 in addition to Basic Allowance.

C. COMMITTEE CHAIRMEN AND VICE CHAIRMEN

- 6.10 Currently there are 7 Chairmen and Vice Chairmen who are Members of the Council. The Panel understands that this will increase to 8 of each after the Annual Council Meeting.
- 6.11 The Panel is aware of the time commitment, the skill and knowledge requirements and responsibility of a Chairman and to a lesser extent, a Vice Chairman.
- 6.12 Whilst the workload of the various Chairmen may vary, the Panel does not believe that there should be differential allowances to reflect this.
- 6.13 The Panel is of the opinion that the current Special Responsibility Allowances paid to the Chairmen and Vice Chairmen with the increase of 2.5% in line with the figure set by the Government for Public Sector employees is an appropriate payment in the circumstances and structure existing at Brentwood Borough Council.
- 6.14 We recommend that the Special Responsibility Allowance for all Chairmen and Vice Chairmen should be £5,981.00 and £1,088.00 respectively, in addition to the Basic Allowance.

D. LEADER OF THE OPPOSITION

- 6.15 Currently the Leader of the main opposition receives a Special Responsibility Allowance equal to that paid to a Chairman.
- 6.16 We start from the premise that strong and informed opposition is essential in the interests of democracy. The Panel considers that it is right to ensure that Special Responsibility Allowance is available to enable the Leaders of the Opposition Groups to play their full part holding the majority group to account.
- 6.17 On the other hand, we are aware that the actual responsibilities of an opposition leader are limited, all the more so when the numbers of his/her group are relatively small compared to the number in the majority group.
- 6.18 Nevertheless, we are persuaded more by the argument set out in 6.16 and for that reason we believe that the current Special Responsibility Allowances paid to the 2 opposition leaders are reasonable with a 2.5% in line with the figure set by the Government for Public Sector employees is an

appropriate payment in the circumstances and structure existing at Brentwood Borough Council.

- 6.19 The Panel recommends that the Leaders of the main opposition party receive a Special Responsibility Allowance of £5,981.00 and the Leader of the minority opposition group receives a Special Responsibility Allowance of £2,990.00, both in addition to the Basic Allowance.

7.0 INDEPENDENT AND CO-OPTED MEMBERS

7.1 These are for brevity referred to as “Co-opted Members”.

7.2 Co-opted Members can be appointed to Local Authority Committees for a variety of purposes and reasons.

7.3 In particular, the Standards Committee must in law have at least two members wholly independent of the Council from whom the Chairman of the Committee is appointed.

7.4 The work of the Standards Committee is difficult to forecast. Usually the work is limited to its regular periodic meetings of, say, four times a year. However, Standards Committee Co-opted Members may also be required to take part in hearings. Given hopefully relative infrequency of such hearings we consider that at this stage, this aspect of a Co-opted Member’s duties should just be kept under review.

7.5 All Co-opted Members should, however, be entitled to receive proper expenses and we so recommend.

8.0 TRAVELLING AND SUBSISTENCE

8.1 Currently Brentwood Borough Council does not pay travelling and subsistence separately but it is reflected in the Basic Allowance.

8.2 Some other Authorities pay separately for travelling and subsistence but we believe the current system works well in Brentwood and should continue, not least because it avoids additional bureaucracy.

9.0 DEPENDENT CARERS ALLOWANCE

9.1 The payment of Dependent Carers Allowance can be made to Councillors who have expenditure for the care of children or dependents whilst carrying out their duties as a Councillor. Brentwood Borough Council does not currently pay such an allowance.

9.2 We noted that in the recent survey, Members of the Council were asked for their views as to whether a Carers Allowance should be paid. Those Members who responded were evenly split, with a number feeling that the Basic Allowance should cover this expense.

9.3 Notwithstanding this, we are of the view that such an allowance should be paid having regard to the desire to ensure that care responsibilities are not a hindrance from becoming and working as a Councillor.

9.4 We suggest that payment should be made at a rate of £5 per hour subject to a maximum of £15 in respect of any one meeting. For the present we suggest that this payment should be limited to attendance at meetings of the Council, its Policy Board, Panels and Committees.

9.5 We recommend this allowance accordingly and suggest that a simple protocol be drawn up for payment.

10.0 PENSIONS

10.1 Those who receive the Basic Allowance and the Special Responsibility Allowance are eligible to be included within the Local Government Superannuation Scheme.

10.2 We considered the views expressed by the majority of Members in the recent survey that Members' Allowances should not be pensionable.

10.3 We recommend that at this time Members' Allowances should not be pensionable.

11.0 CONFERENCE ATTENDANCE

11.1 Payment in respect of attendance at Conference or other extraordinary travel remains under the separate system instituted by Section 175 of the Local Government and Housing Act 1989.

11.2 We were advised that the rates for these had fallen significantly below the actual costs. Since we firmly believe that Members should not lose out financially for attending on "approved duties" we recommend that Members are reimbursed fully for any such expenditure subject to prior approval of the Chief Executive or Deputy Chief Executive.

12.0 WITHOLDING ALLOWANCES

12.1 We note that payments of Members' Allowances can be withheld as a result of a full or partial suspension of a Member from the Council. (This would

arise as a result of the decision of the Standards Committee or the Standards Board of England).

- 12.2 We recommend that no Member should be entitled to receive a Basic Allowance or Special Responsibility Allowance during the period where the Member is fully or partially suspended from his/her position as a Member of the Council.

13.0 ANNUAL ADJUSTMENT OF ALLOWANCES

- 13.1 The scheme of allowances can make provision for an annual adjustment of allowances by reference to an index. Currently the Members' Allowances are increased annually in line with the staff pay award agreed by the NJC (National Joint Council for Local Government Services).

- 13.2 We considered whether the annual adjustment should continue and how often should allowances be reviewed.

- 13.3 We feel that Members' Allowances should be increased annually as at present but we are of the view that the Allowance Scheme should be reviewed annually by the Panel prior to the Annual Meeting of the Council.

14.0 BACKDATING OF ALLOWANCES

- 14.1 Mindful of the Council's need to curb and scrutinise expenditure, we recommend to the Council that current increases are not backdated but come into force from the Annual Council Meeting.

15.0 CONCLUSIONS AND ACKNOWLEDGEMENTS

- 15.1 In all other respects we make no variation to the Allowances Scheme detailed in the September 2003 report.

- 15.2 We are unanimous in putting forward these recommendations to the Council.

- 15.3 We would like to thank and acknowledge those Members and staff who have assisted our preparation of this report.

APPOINTMENTS OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS

APPENDIX 4

Representatives who *SHOULD* be Members of the Council.

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Local Government Association	1	Indefinite	N/A	Leader of the Council
East of England Regional Assembly	1	May-09	1	Deputy Leader of the Council
Brentwood & District Age Concern	2	May-09	1	Cr Mrs Pound Cr Straw
Community Sports Network	1	New	1	Cr Lloyd
Brentwood Sports Council	2	May-09	1	<u>Proposed</u> Cr Payne Cr Sparling Cr B Aspinell
E. & W. Horndon Village Hall Committee	2	May-09	1	Cr Ms Golding Cr MacLellan
Brentwood Arts Council	1	May-09	1	<u>Proposed</u> Cr Mrs Brehaut Cr Ms Chilvers
Hutton Youth Project (formerly Hutton Community Association)	1	May-09	1	<u>Proposed</u> Cr Miss L Monnickendam Cr B Aspinell

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Eastern Essex & Herts Regional Employers Organisation for Local Authorities	1	Jun-09	1	Cr Tee
Herongate Village Hall Man. Cttee	1	May-09	1	Cr MacLellan
Three Arch Bridge Community Hall	2	May-09	1	<u>Proposed</u> Cr Golding Cr Kendall Cr Le-Surf Cr Minns
Brentwood Rugby Club Pavilion Man. Committee	3	May-09	1	<u>Proposed</u> Cr Baker Cr Kenny Cr Payne Cr Carter Cr Ms Chilvers Cr Kendall
Brentwood Football Club Man Committee	3	May-09	1	<u>Proposed</u> Cr Baker Cr Kenny Cr Payne Cr B Aspinell Cr M Aspinell Cr Kendall

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Ingatestone & Fryerning Community Club	1	May-09	1	Cr Sleep
Citizens Advice Bureau	2	May-09	1	<u>Proposed</u> Cr Mrs Henwood Cr Mrs Holmes Cr Kendall
Brentwood & Landkreis Roth Twinning Association 1979	3	May-09	1	Cr Mrs Brehaut Cr Mrs Henwood Cr Straw (Mayor and Deputy Mayor of the Council are President and Deputy-President of the Association respectively)
Brentwood/Montbazon Town Twinning Association	3	May-09	1	Cr Mrs Brehaut Cr Le- Surf Cr Straw (Mayor and Deputy Mayor of the Council are President and Deputy-President of the Association respectively)

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Brentwood Theatre Trust	2	May-09	1	<u>Proposed</u> Cr Baker Cr Mrs Brehaut Cr Carter Cr Le-Surf
Police Community Consultative Committee	1	May-09	1	Cr Kenny
Brentwood Horticultural Society Allotment Management Committee	2	May-09	2	Cr Mrs Brehaut Cr Straw
Hutton Horticultural Society	2	May-09	2	Cr Mrs McGinley Cr Payne
Brentwood Access Group	1	May-09	1	<u>Proposed</u> Cr Mrs Pound Cr Kendall
Council for Voluntary Service	2	May-09	1	Mayor Cr Mrs Brehaut
Local Government Arts Forum	1	May-09	1	Cr Mrs McGinley

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Thames Chase Joint Committees	3	May-09	1	Cr Golding Cr Straw Cr Tee
Museums in Essex Committee	1	May-09	1	Cr Minns
Youth Arts Partnership	1	May-09	1	<u>Proposed</u> Cr Mrs McGinley Cr Carter
Town Centre Partnership Board	1	May-09	1	<u>Proposed</u> Cr Mrs McGinley Cr B Aspinell
Community Transport Partnership	2	May-09	1	<u>Proposed</u> Cr Sleep Cr Mrs McGinley Cr Ms Chilvers Cr Kendall

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
SNAP	1	May-09	1	<u>Proposed</u> Cr Tee Cr B Aspinell
Essex Waste Management Joint Committee	1	May-09	1	Cr Sleep Sub: Cr Quirk
Basildon & Thurrock Hospitals Trust	1	May-09	1	Cr Mrs Brehaut
County Commissioning Body for Supporting People	1	May-09	1	Cr Mrs McGinley

Representatives who need *NOT* be Members of the Council:-

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
Conservators of Shenfield Common	6	May-09	1	Mr A Grant (Chairman and nominee of Lord of the Manor) Mr W Baker Mr J Fair <u>Proposed</u> Cr Baker Cr Lee Cr Lloyd Cr Sleep Cr Minns
Hartswood Golf Club	2	May-09	1	Cr Mrs Brehaut Cr Mrs Holmes
Relate	1	May-09	1	Cr Mrs McGinley
Council for the Protection of Rural England (Essex Branch Advisory Cttee)	1	May-09	1	Cr McCheyne
South Weald Parish Hall	2	May-09	1	<u>Proposed</u> Cr Mrs Coe Cr Mrs Holmes Cr Ms Chilvers
Rural Community - Council of Essex	1	May-09	1	Cr McCheyne

<u>Name of Organisation</u>	<u>No. of Reps</u>	<u>Date of Expiry of Term</u>	<u>Period of Term (Years)</u>	<u>Names of Representatives</u>
<u>CHARITIES</u>				
Brentwood Parochial	3	May-10	4	Mrs Brehaut Mr Good Mrs Hubbard
Hutton Charities	2	May-09 May-11	4 4	Cr. Braid Cr Payne
Headley Common Trustees	4	May-09 Aug-09	4 4	Cr Tee Mr Taylor Mr Wild <u>Proposed</u> Cr Lloyd Cr Ms Chilvers
Howard Memorial Trust	1	May-09	1	Cr Ms Golding
Adult Community Learning (formerly Mid Essex Adult Community College)	1	May-10	4	Cr Minns

BRENTWOOD BOROUGH COUNCIL

REPORT OF THE CHIEF EXECUTIVE & TOWN CLERK

TO THE ANNUAL COUNCIL MEETING

14TH MAY 2008

ITEM 6

POLITICAL GROUPS ON THE COUNCIL

PURPOSE OF REPORT	To advise of receipt of notices under Local Government (Committees and Political Groups) Regulations 1990.
CORPORATE OBJECTIVES	<ul style="list-style-type: none">• Open, Responsive and Accountable Government Core value - <i>“The Council will ensure that its decision-making structures are effective, clear and transparent...”</i>
IMPLICATIONS	
<ul style="list-style-type: none">• Legality	The relevant legal provisions are contained in the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990.
<ul style="list-style-type: none">• Finance	There are none in relation to this report.
<ul style="list-style-type: none">• Staff	There are none.
<ul style="list-style-type: none">• Risk Management	There are no additional risk management implications.
<ul style="list-style-type: none">• Asset Management	There are no additional asset management implications.
<ul style="list-style-type: none">• Health & Safety	There are no additional health and safety management implications.
<ul style="list-style-type: none">• Diversity	There are no additional diversity implications.
ACTION REQUIRED	To note the receipt of the notices.

The Chief Executive and Town Clerk has received the following notices under the Local Government and Housing Act 1989 (Local Government (Committees and Political Groups) Regulations 1990):-

Notice of Wish to Join a Political Group and request for review of arrangements.

Name of Member

R A Carter

M D Golding

R J McCheyne

Political Group

Liberal Democrat

Conservative Group

Conservative Group

Notice of Change of Leader of Political Group

Leader of Labour Group

Cr M Le-Surf

The Council is asked to note receipt of these notices.

DECIDED: